

Remarks

Claims 1, 12, 13, 15, 19, 20 and 24 are pending in the application. Claims 1, 12, 13, 15, 19, 20 and 24 are rejected. Claim 1 is amended herein. No new matter is added. All rejections are respectfully traversed.

Claims 1, 12, 13, 19, 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner (U.S. Pub. No. 2003/0198247) in view of Crayford (U.S. 5,610,903). Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner in view of Crayford and in further view of Malalur (U.S. 6,879,588).

The arguments filed in response to the non-final rejection dated June 9, 2006 are incorporated herein by reference in their entirety. Further, the Examiner's assertion in his "Response to Arguments" section of the current rejection that the port monitoring state machine of paragraph [0015] in Gardner constitutes remote monitoring is baseless. A person of ordinary skill in the art would never confuse auto-negotiation with remote monitoring, and would understand that a port monitoring state machine is employed by Gardner as a well-known tool used to track the progression of steps required for the auto-negotiation of an acceptable communication channel between two devices. The Examiner's position that remote monitoring (RMoN) is taking place in Gardner, as it is understood in the art of computer networking, is an unreasonable stretch of the description provided by Gardner. Based at least on the Examiner's clearly erroneous application of Gardner, the rejection should be reconsidered and withdrawn.

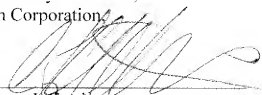
Further still, in order to expedite prosecution and to more distinctly the invention, claim 1 is amended to recite accessing a database including retrieved configuration information for each port of each of a plurality of managed devices on a computer network and for each of a plurality of respective associated links to a respective other device. It should be readily understood that claim 1, as amended, is clearly distinguished from the port-to-port auto-negotiation described in Gardner. For this reason, as well as the reasons asserted in the response to the previous office action, the Examiner should reconsider and withdraw the rejections of claims 1, 12, 13, 15, 19, 20 and 24 based on Gardner, Crayford, and Malalur.

It is believed that this application is now in condition for allowance. A notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's attorney at the number listed below.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-3650.

Respectfully submitted,
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